The World Conference on Human Rights, welcoming the early ratification of the Convention on the Rights of the Child by a large number of States . . . urges universal ratification of the Convention by 1995 and its effective implementation by States parties through the adoption of all the necessary legislative, administrative and other measures and the allocation to the maximum extent of the available resources. . . .

VIENNA DECLARATION AND PROGRAMME OF ACTION*
(Part I, para. 21)

* Adopted by the World Conference on Human Rights, Vienna, 25 June 1993, (A/CONF.157/24 (Part I), chap. III).

I. A landmark for children and their rights

The Convention on the Rights of the Child was adopted by the General Assembly of the United Nations by its resolution 44/25 of 20 November 1989.[1]

This was the end of a process which had begun with the preparations for the 1979 International Year of the Child. That year, discussions started on a draft convention submitted by the Government of Poland.

Children had been discussed before by the international community. Declarations on the rights of the child had been adopted by both the League of Nations (1924) and the United Nations (1959). Also, specific provisions concerning children had been incorporated in a number of human rights and humanitarian law treaties. Nevertheless, some States argued that there was a need for a comprehensive statement on children's rights which would be binding under international law.

That view was influenced by reports of grave injustices suffered by children: high infant mortality, deficient health care, limited opportunities for basic education. There were also alarming accounts of children being abused and exploited as prostitutes or in harmful jobs, of children in prison or in other difficult circumstances, and of children as refugees and victims of armed conflict.

The drafting of the Convention took place in a working group set up by the United Nations Commission on Human Rights. Government delegates formed the core of the drafting group, but representatives of United Nations bodies and specialized agencies, including the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO), the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), as

[1] For the text of the Convention, see annex I.

well as a number of non-governmental organizations, took part in the deliberations. The original draft submitted by the Polish Government was extensively amended and expanded through the long discussions.

The unanimous adoption of the Convention by the General Assembly paved the way for the next stage: ratifications by States and the setting up of a monitoring committee. Within less than a year, by September 1990, 20 States had legally endorsed the Convention, which thereby entered into force.

In the same month, the World Summit for Children was held in New York on the initiative of UNICEF and six States (Canada, Egypt, Mali, Mexico, Pakistan and Sweden). The Summit encouraged all States to ratify the Convention. By the end of 1990, 57 had done so, thereby becoming States parties. In 1993, the World Conference on Human Rights held at Vienna declared that the goal was universal ratification by the end of 1995. By 31 December 1995, no less than 185 countries had indeed ratified the Convention. This number is unprecedented in the field of human rights.[2]

Universal and forward-looking principles

The Convention on the Rights of the Child has the same meaning for people in all parts of the world. While laying down common standards, the Convention takes into account the different cultural, social, economic and political realities of individual States so that each State may seek its own means to implement the rights common to all.

There are four general principles enshrined in the Convention. These are meant to help with the interpretation of the Convention as a whole and thereby guide national programmes of implementation. The four principles are formulated, in particular, in articles 2, 3, 6 and 12.

• *Non-discrimination (art. 2)*: States parties must ensure that all children within their jurisdiction enjoy their rights. No child should suffer discrimination. This applies to every child, "*irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status*".

[2] For a list of States parties as at 15 October 1996, see annex II.

The essential message is equality of opportunity. Girls should be given the same opportunities as boys. Refugee children, children of foreign origin, children of indigenous or minority groups should have the same rights as all others. Children with disabilities should be given the same opportunity to enjoy an adequate standard of living.

• *Best interests of the child (art. 3)*: When the authorities of a State take decisions which affect children, the best interests of children must be a primary consideration. This principle relates to decisions by courts of law, administrative authorities, legislative bodies and both public and private social-welfare institutions. This is, of course, a fundamental message of the Convention, the implementation of which is a major challenge.

• *The right to life, survival and development (art. 6)*: The right-to-life article includes formulations about the right to survival and to development, which should be ensured "*to the maximum extent possible*". The term "development" in this context should be interpreted in a broad sense, adding a qualitative dimension: not only physical health is intended, but also mental, emotional, cognitive, social and cultural development.

• *The views of the child (art. 12)*: Children should be free to have opinions in all matters affecting them, and those views should be given due weight "*in accordance with the age and maturity of the child*". The underlying idea is that children have the right to be heard and to have their views taken seriously, including in any judicial or administrative proceedings affecting them.

Highlights of the Convention

— Every child has the inherent right to life, and States shall ensure to the maximum child survival and development.

— Every child has the right to a name and nationality from birth.

— Children shall not be separated from their parents, except by competent authorities for their well-being.

— States shall facilitate reunification of families by permitting travel into, or out of, their territories.

— Parents have the primary responsibility for a child's upbringing, but States shall provide them with appropriate assistance and develop child-care institutions.

— States shall protect children from physical or mental harm and neglect, including sexual abuse or exploitation.

— States shall provide parentless children with suitable alternative care. The adoption process shall be carefully regulated and international agreements should be sought to provide safeguards and assure legal validity if and when adoptive parents intend to move a child from his or her country of birth.

— Disabled children shall have the right to special treatment, education and care.

— Children are entitled to the highest attainable standard of health. States shall ensure that health care is provided to all children, placing emphasis on preventive measures, health education and reduction of infant mortality.

— Primary education shall be free and compulsory. Discipline in schools shall respect the child's dignity. Education should prepare the child for life in a spirit of understanding, peace and tolerance.

— Children shall have time to rest and play and equal opportunities for cultural and artistic activities.

— States shall protect children from economic exploitation and from work that may interfere with their education or be harmful to their health or well-being.

— States shall protect children from the illegal use of drugs and involvement in drug production or trafficking.

— All efforts shall be made to eliminate the abduction and trafficking of children.

— Capital punishment or life imprisonment shall not be imposed for crimes committed before the age of 18.

— Children in detention shall be separated from adults; they must not be tortured or suffer cruel or degrading treatment.

— No child under 15 shall take any part in hostilities; children exposed to armed conflict shall receive special protection.

— Children of minority and indigenous populations shall freely enjoy their own culture, religion and language.

— Children who have suffered mistreatment, neglect or exploitation shall receive appropriate treatment or training for recovery and rehabilitation.

— Children involved in infringements of the penal law shall be treated in a way that promotes their sense of dignity and worth and aims at reintegrating them into society.

— States shall make the rights set out in the Convention widely known to both adults and children.

II. Constructive monitoring

A number of international human rights bodies contribute to improving respect for the rights of the child in their particular areas of competence. In addition to the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group on Contemporary Forms of Slavery, which deals with aspects of the exploitation and mistreatment of children, relevant international human rights bodies include the following:

— Human Rights Committee;

— Committee on Economic, Social and Cultural Rights;

— Committee on the Elimination of Racial Discrimination;

— Committee on the Elimination of Discrimination against Women;

— Committee against Torture.

These five committees are commonly referred to as treaty bodies, since they were established to monitor the implementation of particular United Nations human rights treaties by States which have ratified or acceded to the instruments in question. The creation of the Committee on the Rights of the Child, established under article 43 of the Convention, reinforced the activities of these bodies on behalf of children.

Committee on the Rights of the Child

In early 1991, a meeting of representatives of States parties to the Convention on the Rights of the Child was convened for the first election to its monitoring body: the Committee on the Rights of the Child. Some 40 candidates had been nominated for the 10 seats. The experts elected on this first occasion came from Barbados, Brazil, Burkina Faso, Egypt, Peru, the Philippines, Portugal, the former Soviet Union, Sweden and Zimbabwe. Six were women, four men. They represented a variety of professional backgrounds, including human rights and international law, juvenile justice, social work, medicine, journalism and governmental and non-governmental work.

The Committee on the Rights of the Child currently holds three sessions a year, each of four weeks' duration. The last week is always reserved for preparation of the next session. The Committee is serviced by the United Nations Centre for Human Rights in Geneva.

Under article 44 of the Convention, States parties accept the duty to submit regular reports to the Committee on the steps they have taken to put the Convention into effect and on progress in the enjoyment of children's rights in their territories. First implementation reports are to be submitted within two years of ratification of or accession to the Convention and thereafter every five years. The first initial reports were due in September 1992. More than 70 State reports had reached the Committee by December 1995.

At its first session, in October 1991, the Committee adopted guidelines to help States parties writing and structuring their initial reports.[3] Governments are recommended to prepare their reports according to these guidelines, which stress that the report should indicate "factors and difficulties" encountered by the State in the implementation of the Convention—in other words, that it should be problem-oriented and self-critical. States are also asked to specify "implementation priorities" and "specific goals for the future". Relevant legal texts and statistical data are to be submitted with the report.

In establishing its procedures, the Committee has emphasized the importance of a constructive dialogue with government representatives. In this context, it has also made clear that it seeks close cooperation

[3] See annex III.

with relevant United Nations bodies and specialized agencies, as well as with other competent bodies, including non-governmental organizations.

Working procedure

A working group of the Committee meets prior to each of its sessions for a preliminary examination of reports received from States parties, and to prepare the Committee's discussions with the representatives of reporting States. In addition to State reports, the working group considers information provided by other human rights treaty bodies. The Committee also receives information from mechanisms established by the Commission on Human Rights to investigate human rights problems in specific countries or on thematic issues, for example the Special Rapporteurs on torture, on extrajudicial, summary or arbitrary executions, and on violence against women. A key partner in this context is the Special Rapporteur on the sale of children, child prostitution and child pornography.

General discussions and studies

A procedural innovation was introduced by the Committee in January 1993 when it recommended to the General Assembly that it request the Secretary-General to undertake a study on the protection of children in armed conflicts. This request was the result of a full-day "general discussion" on the subject organized by the Committee in 1992, in which United Nations bodies and non-governmental organizations were invited to participate.

General discussions have since been held on economic exploitation of children, on the rights of the child in the family context, on the rights of the girl child, and on juvenile justice. Such thematic discussions are held about once a year and may lead to requests for studies, but can also serve as a basis for work on interpreting the articles of the Convention.

United Nations bodies and specialized agencies may take part in the deliberations of the working group and provide information. On the basis of written information received from relevant non-governmental

organizations, the Committee has also often invited such organizations to take part in the preparatory meetings on State reports.

The end result of the pre-sessional working group's discussion on a State report is a "list of issues". This list, which gives a preliminary indication of the issues which the Committee considers to be priorities for discussion, is sent to the Government concerned with an invitation to participate in a forthcoming plenary session of the Committee at which its report will be considered. The Government is invited to respond to the issues in writing, before the session.

This approach gives Governments the opportunity better to prepare themselves for the discussion with the Committee. Other points not included in the list of issues may emerge during the discussion, which is one reason why the Committee prefers to discuss with high-level officials, such as ministers or deputy ministers, rather than with representatives who lack the authority to make decisions.

Discussions with States parties are concrete and detailed, and tend to deal with both results and processes. Although all Committee members usually take part in the deliberations, in most cases two members take the lead on each country as "rapporteurs".

At the very end of the process, the Committee adopts "concluding observations", which are a statement on its consideration of a State's report. Concluding observations are meant to be widely publicized in the State party and to serve as the basis for a national debate on how to improve the enforcement of the provisions of the Convention. They therefore constitute an essential document: Governments are expected to implement the recommendations contained therein.

Notes are taken at the meetings of the Committee. The United Nations publishes both press releases on the discussions and more detailed summary records of the proceedings. The Committee encourages the publication of the State party's report, the summary records and the concluding observations on each country as a consolidated document. Some Governments whose reports have already been discussed have undertaken to do so.

The whole process of discussion of States parties' reports is designed to promote public debate. The Committee's discussions are normally open to the public; only the preparatory discussions of the pre-sessional working group and the drafting of the Committee's concluding observations are conducted in private. Likewise, it is important that the national reporting procedure be open and transparent; the Committee encourages such an approach.

The reporting procedure is constructive and oriented towards international cooperation and exchange of information. The aim is to define problems and discuss what corrective measures should be taken. The Committee can also transmit requests for assistance to the specialized United Nations bodies and agencies, including UNHCR, ILO, UNICEF, WHO, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other competent bodies.

Urgent procedure

There is no procedure outlined in the Convention for individual complaints from children or their representatives. The Committee may, however, request "further information relevant to the implementation of the Convention" (art. 44, para. 4). Such additional information may be requested from Governments if, for instance, there are indications of serious problems.

III. Making children's rights a reality

General measures of implementation

In drafting its reporting guidelines for States, the Committee on the Rights of the Child placed emphasis on concrete implementation measures which would make a reality of the principles and provisions of the Convention. More specifically, the Committee paid special attention to necessary reforms within the spirit of the Convention and procedures for constant scrutiny of progress.

Under article 4 of the Convention, States parties are required to undertake all appropriate legislative, administrative and other measures to implement the Convention. With regard to economic, social and cultural rights, they must "undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation".

An early step in the implementation process is for a State party to review its legislation and ensure that laws are consistent with the Convention. For instance, laws are needed for the protection of children against exploitation, in both the formal and informal labour market, and to ensure free and compulsory primary education.

Mechanisms may be introduced at the national and local levels to coordinate policies and monitor the implementation of the Convention, including through an ombudsman's office. The political decision-making process is important. What procedures are there to ensure that children's affairs are taken seriously in all relevant governmental structures, as well as in both the parliament and local assemblies? Are there opportunities for children themselves and their representatives to make themselves heard?

The gathering of reliable and relevant information on the situation of children is another important step to be taken. With precise data, discussions regarding remedies will be better informed and focused. Improvement of the capacity of the national statistical office can therefore be an essential contribution to the implementation of the Convention.

Other means of genuine realization of the principles and rights enshrined in the Convention are education and training of personnel working with children, such as nursery school and other teachers, child psychologists, paediatricians and other health personnel, the police and other law enforcement personnel, social workers and others. A broader awareness and knowledge of the Convention among people at large can also serve as a basis for implementation. It is an obligation under the Convention (art. 42) for States parties to disseminate such information—to both children and adults—in understandable languages. States' reports on implementation must also be made "widely available to the public" (art. 44, para. 6).

What is meant by the wording that States should implement economic, social and cultural rights "to the maximum extent of their available resources" (art. 4)? How does the Convention relate to financial constraints?

The Convention recognizes that some of the more costly reforms cannot take place overnight. It specifies, for instance, that the rights to health care (art. 24) and education (art. 28) may be achieved "progressively". It also makes it clear that there is an international duty to assist other States in their efforts to protect children's rights—although each State party always has its own obligations. Rich or poor, a State

must allocate the maximum extent of its available resources for the implementation of the Convention: priority should be given to children.

Donor countries are encouraged to review their development cooperation programmes in the light of the Convention. At the same time, developing countries may identify a need for international cooperation in their reports on their implementation of the Convention.

Advisory services

The Convention on the Rights of the Child and the Committee on the Rights of the Child attach special importance to international cooperation and assistance as ways of achieving the effective protection of children's rights. Article 45 (*b*) authorizes the Committee to transmit to the relevant agencies and bodies any reports from States parties that contain a request or indicate a need for technical advice or assistance, along with the Committee's observations and suggestions. The Committee often makes recommendations for technical cooperation in its concluding observations addressed to States parties as an outcome of the reporting dialogue.

The United Nations High Commissioner for Human Rights, whose mandate includes the enhancement of international cooperation for the promotion and protection of all human rights, is providing assistance in this regard and encourages Governments to respond favourably to the Committee's recommendations.

ANNEXES

ANNEX I

Convention on the Rights of the Child[a]

PREAMBLE

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its

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[a] Adopted by the General Assembly by its resolution 44/25 of 20 November 1989; entered into force on 2 September 1990, in accordance with article 49.

members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international cooperation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the

relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of

such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances, personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings

affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(*a*) For respect of the rights or reputations of others; or

(*b*) For the protection of national security or of public order (*ordre public*), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or

public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(*a*) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(*b*) Encourage international cooperation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(*c*) Encourage the production and dissemination of children's books;

(*d*) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(*e*) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case

may be, legal guardians have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, *inter alia*, foster placement, *kafalah* of Islamic law, adoption or, if necessary, placement in suitable institutions for the care of children. When considering solutions, due regard

shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(*a*) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(*b*) Recognize that intercountry adoption may be considered as an alternative means of the child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(*c*) Ensure that the child concerned by intercountry adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(*d*) Take all appropriate measures to ensure that, in intercountry adoption, the placement does not result in improper financial gain for those involved in it;

(*e*) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, cooperation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health-care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their

capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(*a*) To diminish infant and child mortality;

(*b*) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(*c*) To combat disease and malnutrition, including within the framework of primary health care, through, *inter alia*, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(*d*) To ensure appropriate prenatal and postnatal health care for mothers;

(*e*) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents;

(*f*) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international cooperation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agree-

ments or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(*a*) Make primary education compulsory and available free to all;

(*b*) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(*c*) Make higher education accessible to all on the basis of capacity by every appropriate means;

(*d*) Make educational and vocational information and guidance available and accessible to all children;

(*e*) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

(*a*) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(*b*) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(*c*) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(*d*) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(*e*) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(*a*) Provide for a minimum age or minimum ages for admission to employment;

(*b*) Provide for appropriate regulation of the hours and conditions of employment;

(*c*) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(*a*) The inducement or coercion of a child to engage in any unlawful sexual activity;

(*b*) The exploitative use of children in prostitution or other unlawful sexual practices;

(*c*) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

(*a*) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(*b*) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(*c*) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(*d*) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(*a*) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(*b*) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(*a*) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(*b*) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner

appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(*a*) The law of a State party; or

(*b*) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United

Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

(*a*) Within two years of the entry into force of the Convention for the State Party concerned;

(*b*) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (*b*) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international cooperation in the field covered by the Convention:

(*a*) The specialized agencies, the United Nations Children's Fund and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Conven-

tion in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(*b*) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(*c*) The Committee may recommend to the General Assembly that it request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(*d*) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

ANNEX II

States which have ratified or acceded to the Convention on the Rights of the Child as at 15 October 1996 (187)

State	*Date of signature*	*Date of receipt of instrument of ratification/ accession*[a]	*Date of entry into force*
Afghanistan	27 September 1990	28 March 1994	17 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993[a]	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992[a]	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992[a]	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina*			6 March 1992
Botswana		14 March 1995[a]	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995[a]	26 January 1996
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992

ANNEX II (*continued*)

State	*Date of signature*	*Date of receipt of instrument of ratification/ accession*[a]	*Date of entry into force*
Cameroon	25 September 1990	11 January 1993	10 February 1993
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992[a]	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993[a]	13 November 1993
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia*			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic*			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992[a]	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991[a]	20 November 1991
Ethiopia		14 May 1991[a]	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994[a]	2 July 1994
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990

ANNEX II (*continued*)

State	*Date of signature*	*Date of receipt of instrument of ratification/ accession*[a]	*Date of entry into force*
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990[a]	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992[a]	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Iran (Islamic Republic of)	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994[a]	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990
Kiribati		11 December 1995[a]	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994[a]	6 November 1994
Lao People's Democratic Republic		8 May 1991[a]	7 June 1991
Latvia		14 April 1992[a]	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993[a]	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996
Lithuania		31 January 1992[a]	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991[a]	1 February 1991

ANNEX II (*continued*)

State	*Date of signature*	*Date of receipt of instrument of ratification/ accession*[a]	*Date of entry into force*
Malaysia		17 February 1995[a]	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990[a]	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993[a]	4 June 1993
Monaco		21 June 1993[a]	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991[a]	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994[a]	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995[a]	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995[a]	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993[a]	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990

ANNEX II (*continued*)

State	*Date of signature*	*Date of receipt of instrument of ratification/ accession*[a]	*Date of entry into force*
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993[a]	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991[a]	25 December 1991
Sao Tome and Principe		14 May 1991[a]	13 June 1991
Saudi Arabia		26 January 1996	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990[a]	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995[a]	4 November 1995
Slovakia*			1 January 1993
Slovenia*			25 June 1991
Solomon Islands		10 April 1995[a]	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993[a]	25 November 1993
Thailand		27 March 1992[a]	26 April 1992
The former Yugoslav Republic of Macedonia*			17 September 1991
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995[a]	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992

ANNEX II (*continued*)

State	*Date of signature*	*Date of receipt of instrument of ratification/ accession*[a]	*Date of entry into force*
Turkey	14 September 1990	4 April 1995	4 May 1995
Turkmenistan		20 September 1993[a]	19 October 1993
Tuvalu		22 September 1995[a]	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994[a]	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zaire	20 March 1990	27 September 1990	27 October 1990
Zambia	30 September 1990	5 December 1991	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

[a] Accession.

* Succession.

ANNEX III

General guidelines regarding the form and contents of initial reports to be submitted by States parties under article 44, paragraph 1 (*a*), of the Convention on the Rights of the Child [a]

INTRODUCTION

1. Article 44, paragraph 1, of the Convention on the Rights of the Child provides that:

> "States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:
>
> "(*a*) Within two years of the entry into force of the Convention for the State Party concerned;
>
> "(*b*) Thereafter every five years."

2. Article 44 of the Convention further provides, in paragraph 2, that reports submitted to the Committee on the Rights of the Child shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the Convention and shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. The Committee believes that the process of preparing a report for submission to the Committee offers an important occasion for conducting a comprehensive review of the various measures undertaken to harmonize national law and policy with the Convention and to monitor progress made in the enjoyment of the rights set forth in the

[a] Adopted by the Committee on the Rights of the Child at its first session, in October 1991 (see *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 41* (A/47/41), annex III).

Convention. Additionally, the process should be one that encourages and facilitates popular participation and public scrutiny of government policies.

4. The Committee considers that the reporting process entails an ongoing reaffirmation by States parties of their commitment to respect and ensure observance of the rights set forth in the Convention and serves as the essential vehicle for the establishment of a meaningful dialogue between the States parties and the Committee.

5. The general part of States parties' reports, relating to matters that are of interest to monitoring bodies under various international human rights instruments, should be prepared in accordance with the "Consolidated guidelines for the initial part of the reports of States parties", as contained in document HRI/1991/1. The present guidelines, which were adopted by the Committee on the Rights of the Child at its 22nd meeting, held on 15 October 1991, should be followed in the preparation of the initial reports of States parties relating to the implementation of the Convention on the Rights of the Child.

6. The Committee intends to formulate guidelines for the preparation of periodic reports that are to be submitted pursuant to article 44, paragraph 1 (*b*), of the Convention in due course.

7. Reports should be accompanied by copies of the principal legislative and other texts as well as detailed statistical information and indicators referred to therein, which will be made available to members of the Committee. It should be noted, however, that for reasons of economy they will not be translated or reproduced for general distribution. It is desirable, therefore, that when a text is not actually quoted in or annexed to the report itself, the report should contain sufficient information to be understood without reference to those texts.

8. The provisions of the Convention have been grouped under different sections, equal importance being attached to all the rights recognized by the Convention.

I. General measures of implementation

9. Under this section, States parties are requested to provide relevant information pursuant to article 4 of the Convention, including information on:

(*a*) The measures taken to harmonize national law and policy with the provisions of the Convention;

(*b*) Existing or planned mechanisms at the national or local level for coordinating policies relating to children and for monitoring the implementation of the Convention.

10. In addition, States parties are requested to describe the measures that have been taken or are foreseen, pursuant to article 42 of the Convention, to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

11. States parties are also requested to describe those measures undertaken or foreseen, pursuant to article 44, paragraph 6, of the Convention, to make their reports widely available to the public at large in their own countries.

II. Definition of the child

12. Under this section, States parties are requested to provide relevant information, pursuant to article 1 of the Convention, concerning the definition of a child under their laws and regulations. In particular, States parties are requested to provide information on the age of attainment of majority and on the legal minimum ages established for various purposes, including legal or medical counselling without parental consent, end of compulsory education, part-time employment, full-time employment, hazardous employment, sexual consent, marriage, voluntary enlistment into the armed forces, conscription into the armed forces, voluntarily giving testimony in court, criminal liability, deprivation of liberty, imprisonment and consumption of alcohol or other controlled substances.

III. General principles

13. Relevant information, including the principal legislative, judicial, administrative or other measures in force or foreseen, factors and difficulties encountered and progress achieved in implementing the provisions of the Convention, and implementation priorities and specific goals for the future, should be provided in respect of:

(*a*) Non-discrimination (art. 2);

(*b*) Best interests of the child (art. 3);

(*c*) The right to life, survival and development (art. 6);

(*d*) Respect for the views of the child (art. 12).

14. In addition, States parties are encouraged to provide relevant information on the application of these principles in the implementation of articles listed elsewhere in these guidelines.

IV. Civil rights and freedoms

15. Under this section, States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention; and implementation priorities and specific goals for the future, in respect of:

(*a*) Name and nationality (art. 7);

(*b*) Preservation of identity (art. 8);

(*c*) Freedom of expression (art. 13);

(*d*) Access to appropriate information (art. 17);

(*e*) Freedom of thought, conscience and religion (art. 14);

(*f*) Freedom of association and of peaceful assembly (art. 15);

(*g*) Protection of privacy (art. 16);

(*h*) The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (*a*)).

V. Family environment and alternative care

16. Under this section, States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force, particularly how the principles of the "best interests of the child" and "respect for the views of the child" are reflected therein; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention; and implementation priorities and specific goals for the future, in respect of:

(*a*) Parental guidance (art. 5);

(*b*) Parental responsibilities (art. 18, paras. 1 and 2);

(*c*) Separation from parents (art. 9);

(*d*) Family reunification (art. 10);

(*e*) Recovery of maintenance for the child (art. 27, para. 4);

(*f*) Children deprived of a family environment (art. 20);

(*g*) Adoption (art. 21);

(*h*) Illicit transfer and non-return (art. 11);

(*i*) Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39);

(*j*) Periodic review of placement (art. 25).

17. In addition, States parties are requested to provide information on the numbers of children per year within the reporting period in each of the following groups, disaggregated by age group, sex, ethnic or national background and rural or urban environment: homeless children, abused or neglected children taken into protective custody, children placed in foster care, children placed in institutional care, children placed through domestic adoption, children entering the country through intercountry adoption procedures and children leaving the country through intercountry adoption procedures.

18. States parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

VI. Basic health and welfare

19. Under this section, States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; the institutional infrastructure for implementing policy in this area, particularly monitoring strategies and mechanisms; and factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention, in respect of:

(*a*) Survival and development (art. 6, para. 2);

(*b*) Disabled children (art. 23);

(*c*) Health and health services (art. 24);

(*d*) Social security and child-care services and facilities (art. 26 and art. 18, para. 3);

(*e*) Standard of living (art. 27, paras. 1-3).

20. In addition to information provided under paragraph 9 (*b*) of these guidelines, States parties are requested to specify the nature and extent of cooperation with local and national organizations of a governmental or non-governmental nature, such as institutions of social workers, concerning the implementation of this area of the Convention. States parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

VII. Education, leisure and cultural activities

21. Under this section, States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; the institutional infrastructure for implementing policy in this area, particularly monitoring strategies and mechanisms; and factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention, in respect of:

(*a*) Education, including vocational training and guidance (art. 28);

(*b*) Aims of education (art. 29);

(*c*) Leisure, recreation and cultural activities (art. 31).

22. In addition to information provided under paragraph 9 (*b*) of these guidelines, States parties are requested to specify the nature and extent of cooperation with local and national organizations of a governmental or non-governmental nature, such as institutions of social workers, concerning the implementation of this area of the Convention. States parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

VIII. Special protection measures

23. Under this section, States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention; and implementation priorities and specific goals for the future, in respect of:

(*a*) Children in situations of emergency:

(i) Refugee children (art. 22);

(ii) Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39);

(*b*) Children in conflict with the law:

(i) The administration of juvenile justice (art. 40);

(ii) Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (*b*), (*c*) and (*d*));

(iii) The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37 (*a*));

(iv) Physical and psychological recovery and social reintegration (art. 39);

(*c*) Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39):

(i) Economic exploitation, including child labour (art. 32);

(ii) Drug abuse (art. 33);

(iii) Sexual exploitation and sexual abuse (art. 34);

(iv) Other forms of exploitation (art. 36);

(v) Sale, trafficking and abduction (art. 35);

(*d*) Children belonging to a minority or an indigenous group (art. 30).

24. Additionally, States parties are encouraged to provide specific statistical information and indicators relevant to the children covered by paragraph 23.

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